

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
SHREVEPORT DIVISION**

UNITED STATES OF AMERICA

CRIMINAL NO. 04-50091-03

VERSUS

JUDGE S. MAURICE HICKS, JR

RAMIRO G. VALDEZ

MAGISTRATE JUDGE HORNSBY

ORDER

Before the Court is a "Motion for Sentencing Adjustment" (Record Document 187) filed by the defendant, Ramiro G. Valdez. The defendant seeks a reduction of his sentence, arguing that his "status as a deportable alien" leads to harsh "collateral consequences." Id. The defendant maintains that he is entitled to such reduction under United States v. Restrepo, 802 F.Supp. 781 (E.D.N.Y. 1992).

The Court has reviewed both the record in the instant matter and the Restrepo case cited by the defendant. The Restrepo opinion cited and relied upon by the defendant was vacated by United States v. Restrepo, 999 F.2d 640 (2nd Cir. 1993). Further, the Second Circuit's reasoning in Restrepo, which is reasoning that this Court approves, weighs against the defendant's request for a reduction in his sentence.

Accordingly,

IT IS ORDERED that the "Motion for Sentencing Adjustment" (Record Document 187) filed by the defendant, Ramiro G. Valdez, be and is hereby **DENIED**.

THUS DONE AND SIGNED at Shreveport, Louisiana, this the 15th day of August, 2006.



S. MAURICE HICKS, JR.
UNITED STATES DISTRICT JUDGE